

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

JAMES GEMELAS, On Behalf of Himself  
and All Others Similarly Situated,

Plaintiff,

v.

THE DANNON COMPANY, INC.,

Defendant.

No. CV-08-236

CLASS ACTION

JUDGE DAN A. POLSTER

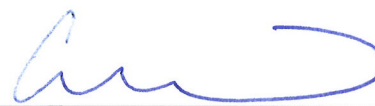
**AFFIDAVIT OF CULLIN A. O'BRIEN, ESQUIRE FILED ON BEHALF OF  
ROBBINS GELLER RUDMAN & DOWD LLP IN SUPPORT OF  
SUPPLEMENTAL APPLICATION FOR ATTORNEYS' FEES AND  
REIMBURSEMENT OF EXPENSES**

BEFORE ME, the undersigned authority personally appeared, Cullin A. O'Brien,  
Esquire, who, upon oath, states:

1. My name is Cullin A. O'Brien.
2. I am over twenty-one years of age, and am fully competent to make the statements contained in this Affidavit.
3. I am a member of the firm of Robbins Geller Rudman & Dowd LLP. I am submitting this declaration in support of counsel's application for an award of attorneys' fees and expenses in connection with services rendered in the above-entitled action.

4. This firm served as one of Plaintiff's counsel in this case.
5. The total number of hours spent on this litigation from June 9, 2010 to present by my firm is 103.75. The total lodestar amount for attorney/paraprofessional time based on the firm's current rates is \$46,410.00. The hourly rates reflected in the attached exhibit are the usual and customary rates charged for each individual in all of our cases. A breakdown of the lodestar is attached hereto as **Exhibit A**.
6. My firm incurred a total of \$6,808.47 in additional expenses in connection with the prosecution of this litigation. These expenses are broken down and attached hereto as **Exhibit B**.
7. The expenses pertaining to this case are reflected in the books and records of this firm. These books and records are prepared from expense vouchers, check records and other documents and are an accurate record of the expenses.

Executed this 27<sup>th</sup> day of June, 2011, at Boca Raton, Florida.



CULLIN A. O'BRIEN

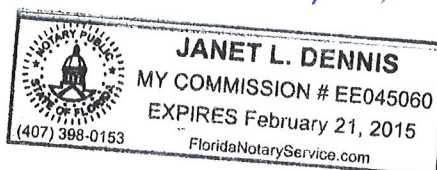
STATE OF FLORIDA                     )  
COUNTY OF PALM BEACH        )       ss:

**BEFORE ME**, the undersigned authority, personally appeared Cullin A. O'Brien who, upon first being duly sworn, deposes and says that he has read the foregoing and the same are true and correct. He is personally known to me.



NOTARY PUBLIC

Printed Name: JANET L. DENNIS  
My Commission Expires: 2/21/15



# EXHIBIT A

**Dannon**  
**Robbins Geller**  
**LODESTAR**  
**June 9, 2010 - Present**

<b>NAME AND STATUS</b>	<b>HOURLY RATE</b>	<b>HOURS</b>	<b>LODESTAR</b>
<b>Partner</b>			
Paul J. Geller	\$760.00	6.50	\$4,940.00
Jonathan M. Stein	\$625.00	13.25	\$8,281.25
Sandy Svetcov	\$795.00	3.00	\$2,385.00
<b>Associates</b>			
Cullin A. O'Brien	\$510.00	29.50	\$15,045.00
<b>Paralegal</b>			
Melissa Bacci	\$280.00	6.25	\$1,750.00
Christina Kopko	\$295.00	17.50	\$5,162.50
Patty Puerto	\$295.00	11.50	\$3,392.50
Michele Wallbrett	\$295.00	1.75	\$516.25
<b>Investigator</b>			
Steven Ellman	\$385.00	10.00	\$3,850.00
<b>Document Clerk</b>			
Bradley Lewis	\$235.00	4.00	\$940.00
<b>Inform Tech</b>			
Carol Carlson	\$295.00	0.50	\$147.50
<b>TOTAL</b>		<b>103.75</b>	<b>\$46,410.00</b>

# EXHIBIT B

**Dannon**  
**Robbins Geller Rudman & Dowd LLP**  
**EXPENSE REPORT**  
**June 9, 2010 - Present**

<b>Expenses</b>	<b>Total Expenses To Date</b>
Photocopying	\$1,942.25
Postage	\$119.95
Telephone	\$6.79
Messenger/Courier/Overnight	\$27.55
Attorney Service Fee	\$570.50
Staff OT	\$59.70
Legal Research	\$1,479.55
Transcript	\$51.00
Meals/Travel/Transportation	\$2,551.18
<b>TOTAL</b>	<b>\$6,808.47</b>